

Representative Carolyn B. Maloney (NY-14)

April 10, 2008

"Reauthorization and Improvement of DNA Initiatives of the Justice For All Act of 2004"

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Thank you Chairman Scott and Ranking Member Gohmert for holding today's hearing about DNA technology, which can help convict the guilty and free the innocent.

I have been working on this issue since 2001 when I, along with former Representative Steve Horn, held a hearing in the Government Reform Committee where we heard from the courageous rape survivor sitting at this table, Debbie Smith.

Debbie recounted her horrifying story . . . how an intruder broke into her home and raped her in the nearby woods. Six years later her assailant was charged with her rape because DNA processing techniques had produced a "cold hit."

Inspired by Debbie's story, I resolved to do something to combat the epidemic of violence against women in the United States, where a sexual assault occurs every two minutes.

I knew that DNA processing techniques could serve as conclusive proof in countless other rape cases. But I was outraged that a backlog of hundreds of thousands of rape kits, with DNA evidence already collected, were gathering dust in police stations and crime labs all over the country . . . all because of inadequate government funding.

It was for Debbie, and the thousands of rape survivors like her, that I authored "The Debbie Smith Act" to provide federal funding to process the unconscionable backlog of DNA evidence.

I first introduced this legislation in 2001. In 2004, it was signed into law as part of the "Justice For All Act," comprehensive DNA legislation that has helped bring justice to rape survivors and their families across the country.

The "Justice For All Act" accomplished several critical objectives including authorizing the necessary funding, \$151,000,000 in each fiscal year from FY2005 through FY2009, to start processing the backlog of DNA evidence through the creation of the Debbie Smith DNA Backlog Grant Program. Since 2004, millions of dollars in funding have been appropriated under the Debbie Smith DNA Backlog Grant Program.

Because this groundbreaking program's authorization expires at the end of FY2009, I have introduced H.R. 5057, "The Debbie Smith Reauthorization Act of 2008," which extends the

program through FY2014. I am pleased to have been joined in introducing the legislation by the Chairman and Ranking Member of the Judiciary Committee, Chairman Conyers and Ranking Member Smith. Resolutions have already been introduced or passed across the country in support of “The Debbie Smith Reauthorizat on Act” including in Vermont, Alaska, and the City of Easton in Pennsylvania.

Estimates place the number of unprocessed rape kits nationwide in the tens and possibly hundreds of thousands. Each kit represents an innocent life and a rapist who may commit multiple rapes before he is caught.

DNA is remarkable evidence. It doesn't forget, it can't be confused, it can't be intimidated and it doesn't lie. While an eyewitness can easily get mixed up about height, weight, hair color – DNA never changes its story.

Debbie's bravery and dedication to working with me to pass “The Debbie Smith Act,” which was no small feat, has already made a tremendous impact on our justice system. We were joined in our efforts by *Lifetime Television* and RAINN, as well as other groups dedicated to ending violence against women.

April is Sexual Assault Awareness and Prevention Month. Tragically, only 6% of rapists will spend any time in jail. Congress must continue to support programs, like the Debbie Smith DNA Backlog Grant Program, that help to put rapists in prison and reduce violence against women.

I want to thank the Subcommittee for inviting me to testify today, and I look forward to working with you to move “The Debbie Smith Reauthorization Act” forward.

Thank you.